

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

THE SUSTAINABILITY INSTITUTE,	)	
et al.,	)	Civil Action Number: 2:25-cv-02152-RMG
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
DONALD J. TRUMP, in his official	)	
capacity as President of the United States,	)	
et al.,	)	
	)	
Defendants.	)	

**DECLARATION**

I, Sean P. Duffy, declare pursuant to 28 U.S.C. § 1746 as follows:

1. As the United States Secretary of Transportation, I am the head of the United States Department of Transportation, including the Federal Highway Administration (“FHWA”).
2. Pursuant to the Court’s Order entered in the above-captioned case on May 20, 2025 (the “Order”), I submit this certification confirming DOT’s compliance with the Order.
3. I understand that the above-captioned case includes claims related to two DOT grant award selections announced for the Metropolitan Government of Nashville & Davidson County (“Nashville”): a grant awarded in August 2024 for the Charging and Fueling Infrastructure Discretionary Grant Program (“CFI”), and a grant awarded in January 2025 for the Active Transportation Infrastructure Investment Program (“ATIIP”). I understand that a grant agreement has not been signed for either of these two grants, which are among the grants undergoing individualized, administrative review by DOT and FHWA. I understand that the Order designated these grants as grants 37 and 38 for reference.

4. I certify that, pursuant to the Order, FHWA employees have begun the process of negotiating grant agreements with Nashville for grants 37 and 38, which when completed will obligate grant funds. Specifically, FHWA employees have contacted Nashville via email to confirm whether Nashville is prepared to move forward with negotiating grant agreements for grants 37 and 38.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 27, 2025.



Sean P. Duffy  
United States Secretary of Transportation